

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	:	Liban Yusuf	RECEIVED
Serial No.	:	09/752,988	MAR 30 2007
Filed	:	January 2, 2001	OFFICE OF PETITIONS
For	:	LOTTERY TICKET PLAY ACTION GAME	
Art Unit	:	3711	
Confirmation No.	:	9844	
Attorney Docket No.	:	159.1.757	

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450

ON November 10, 2006
NAME Jill S. Garretson

SIGNATURE Jill S. Garretson

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2006

5

RENEWED PETITION UNDER 37 C.F.R. 1.47(b)

Dear Sir:

This is a Request for Reconsideration in response to the Decision of Refusing Status under 37 CFR 1.47(b) of December 12, 2002. Applicant has filed concurrently herewith a Petition for a four (4) month extension of time along with the requisite fee extending the date for response to June 12, 2003.

The Decision states that the Petition under 37 CFR 1.47(b) of September 7, 2001, failed to: (1) establish that the non-signing inventor was ever presented with the application for signature, (2) present an oath or declaration for the patent application in compliance with 37 C.F.R. 1.63 and 1.64, (3) show or provide proof that Oberthur 5 Gaming Technologies, Inc., (hereinafter "Oberthur") has sufficient proprietary interest in the subject matter to justify the filing of the application, and (4) provide a statement that "the filing of the application is necessary to preserve the rights of the parties."

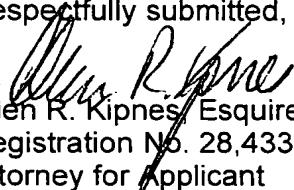
In response to the Decision, Applicant has filed herewith 1) a Declaration of Allen 10 R. Kipnes, Esq., Intellectual Property counsel to Oberthur, providing a statement regarding the presentation of the application to the sole inventor Liban Yusuf for signature; 2) a Declaration/Power of Attorney executed by Claude Lambert, Vice-President of Technological Development of Oberthur, in compliance with 37 C.F.R. 1.63 and 1.64; and 3) a Declaration of Claude Lambert, providing a statement establishing 15 Oberthur's sufficient proprietary interest in the subject matter, and the necessary statement that "the filing of the application is necessary to preserve the rights of the parties."

Applicant reiterates that, despite all these efforts, Mr. Liban Yusuf has refused to 20 cooperate and all efforts to discuss this matter have been unfruitful. Under these circumstances, Applicant respectfully requests for a renewed petition under 37 CFR 1.47(b) so that the unsigned Declaration/Power of Attorney of Mr. Yusuf be entered on the record and that the filing date of January 2, 2001 be confirmed.

Since the Official Fee for the Petition has been charged and the requisite fees for extending the date for response and for reviving the application for patent abandoned unintentionally, are enclosed herewith, it is believed that no additional fee is due.

- 5 However, if any additional fee is due, it should be charged to Deposit Account No. 23-0510.

Respectfully submitted,


Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

Address All Correspondence to:

Allen R. Kipnes, Esquire
WATOV & KIPNES, P.C.
P.O. Box 247
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(609) 243-0330

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In re Application of:

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 ON November 10, 2006

NAME Jill S. Garretson

SIGNATURE *Jill S. Garretson*

5 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

November 10, 2006

DECLARATION

10

Dear Sir:

15

I, Allen R. Kipnes, declare and say as follows:

1. For all times relevant herein, I hereby state that I have been the Intellectual Property counsel for Oberthur Gaming Technologies, Inc., the owner of the above-identified patent application. I am aware that the U.S. Patent and Trademark
5 Office has requested evidence that the non-signing inventor, Mr. Liban Yusuf, was presented with the application for signature, as part of the proof that the non-signing inventor refuses to sign the oath or declaration.

2. On or about March 11, 2003, I sent via FedEx International Priority
10 delivery service a package containing a letter along with a copy of the patent application, and the Declaration/Power of Attorney, to the last known address of Mr. Liban Yusuf. The letter informed Mr. Yusuf that we request his signature and dating on the Declaration/Power of Attorney documents enclosed with the copy of the patent application, and that he forward the signed and executed documents to my attention as
15 soon as possible. A copy of the cover letter to Mr. Liban Yusuf and the corresponding mailing slip for the package is attached hereto.

3. On or about March 18, 2003, I received confirmation of Mr. Yusuf's receipt
of the package of March 11, 2003, signed for delivery by "L. Yusef" at about 11:23 am.
20 A copy of the proof of delivery from the delivery service is attached hereto.

4. I hereby state that I have not received to this day the signed and executed documents from Mr. Yusuf. I believe that Mr. Yusuf is and remains totally

ARK:ahh092006/1591757.DEC-ARK

uncooperative with respect to the above-captioned application and believe that he would not sign the required Declaration/Power of Attorney in order to complete the formal filing requirements of the above-identified patent application.

5 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false
10 statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Nov. 10, 2006

By: Allen R. Kipnes
Registration No. 28,433
Attorney for Applicant

15



WATOV & KIPNES
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

FILE

KENNETH WATOV (NJ and NY)
ALLEN R. KIPNES (NY)
ALBERT H. HSU (NJ, NY, and DC)

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PATENTS, TRADEMARKS,
COPYRIGHTS AND
RELATED MATTERS

(609) 243-0330
FAX: (609) 275-1010

1591757.LY

March 11, 2003

VIA INTERNATIONAL FEDERAL EXPRESS

Liban Yusuf
99 Dalhousie Street, Apt. 909
Toronto, Ontario M5B 2N2
CANADA

RECEIVED

MAR 30 2007

OFFICE OF PETITIONS

Re: U.S. Patent Application Serial No. 09/752,988
Based on a project entitled "Ancient Treasures"
Our Reference No.: 159.1.757

Dear Mr. Yusuf:

We are intellectual property counsel for Oberthur Gaming Technologies and we are enclosing herewith a patent application including a Declaration/Power Of Attorney. We require your signature and dating on the Declaration/Power Of Attorney and a return of the application as well as the executed Declaration/Power Of Attorney to my attention. We ask that you forward these documents to my attention as soon as possible. Preferably we request you return the documents by Federal Express or other overnight courier and upon receipt, we will reimburse you for the amount of shipping.

The enclosed patent application is based on the lottery ticket design that you developed entitled "Ancient Treasures" which was selected from the content referred to as "Winning Concept 1999" sponsored by Oberthur Gaming Technologies, Inc.

You will recall that you Assigned all your rights (both non-patent and patent rights) to this game and were paid the sum of \$2,500 for the Assignment of rights.

Accordingly, we would appreciate your cooperating by signing the enclosed Declaration/Power Of Attorney where indicated.

Please note that the Declaration/Power Of Attorney states that you believe that you are the first to invent the subject matter of the patent application.

RECEIVED

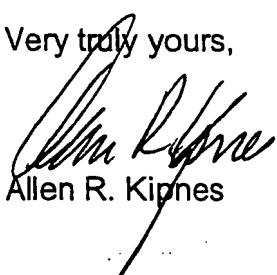
MAR 30 2007

OFFICE OF PETITIONS

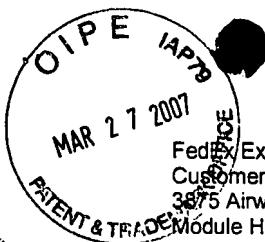
Liban Yusuf
March 11, 2003
Page 2

We look forward to the receipt of the entire executed application and thank you in advance for your cooperation in connection with this matter.

Very truly yours,


Allen R. Kipnes

ARK:jsg
Enclosures



FedEx Express
Customer Support Trace
3575 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643

Telephone: 901-369-3600

RECEIVED

MAR 30 2007

OFFICE OF PETITIONS

3/21/2003

Dear Customer:

Here is the proof of delivery for the shipment with tracking number 832803990479. Our records reflect the following information.

Delivery Information:

Signed For By: L.YUSEF
Delivery Location: 99 DALHOUSIE ST
Delivery Date: March 18, 2003
Delivery Time: 1123

Shipping Information:

Tracking No: 832803990479

Ship Date: March 11, 2003

Recipient:
LIBON YUSUF

99 DAL HOUSIE STREET APT. 909
TORONTO, ON M5B2N2
CA

Shipper:
ALLEN R KINNES ESQ
ILLEGIBLE
ILLEGIBLE
PRINCETON JUNCTION, NJ 03550
US

Shipment Reference Information:

Thank you for choosing FedEx Express. We look forward to working with you in the future.

FedEx Worldwide Customer Service
1-800-Go-FedEx®
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